

# WORKFORCE CONNECTION



Anaconda Job Service  
One Stop Workforce Center  
307 East Park Street  
Anaconda, MT 59711



## THE 12 DANGER ZONES

Our local Tri-County JSEC (Job Service Employer's Committee) has authorized the purchase of a portable DVD player and another player was donated (Thank you Jackie Bonney!) to be available for businesses to use in our Tri-County area. Employers will be able to request the use of the player and available DVD's they would like to view from our employer resource library. We are recommending a good supervisor training series called the 12 Danger Zones. The 12 Danger Zones is an Employment Law Training System designed for those that are supervising employees (be it an owner or supervisor). Each 'zone' has specific examples and general information about certain aspects of employment law. Always refer to Department of Labor's website for relevant information at: [www.dli.mt.gov](http://www.dli.mt.gov).

Here is a synopsis of the objectives of each area addressed in the 12 DVDs:

### Hiring:

- Learn to recognize red flags that need to be brought to the attention of HR;
- Know the types of interview questions **not** to ask
- Know when certain questions can be asked and pre-employment testing can be done.

### Documentation and Evaluations

- Understand the importance of accurate and timely documentation.
- Learn how to write good documentation.
- Learn how to write effective performance evaluations.

### Discipline

- Learn the importance of consistent, prompt discipline.
- Hear some advice on handling difficult employees.
- Learn whether non-union employees have the right to bring a co-worker into an investigatory meeting.

### Firing

- Learn what the crucial steps are before firing someone.
- Know major mistakes to avoid in a termination.
- Recognize "red flags" that could subject your company to a lawsuit for discrimination.

### Sexual Harassment/Other Harassment

- Be familiar with your company's harassment policies.
- Know how to enforce a harassment-free workplace.
- Know how to respond to a harassment complaint
- Know how to recognize incidents of workplace harassment and how to address quickly.

### Discrimination

- Recognize the federally protected classes.
- Know what discrimination is.
- Understand you or your employer's discrimination policy.

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## The 12 Danger Zones (continued)

### FMLA

- Know who's eligible for the Family Medical Leave Act.
- Know what situations qualify for FMLA leave.
- Designating FMLA leave under policies and procedures.

### Safety and Worker's Comp

- Learn the importance of maintaining a safe workplace.
- Learn ways to stress safety to employee's year round.
- Legal consequences of retaliation.

### Wage and Hour/Labor Laws

- Exempt vs. Non-exempt employees.
- Rules for breaks.
- Use of comp time.
- The rights of non-union employees to engage in concerted activity.

### Privacy

- The importance of protecting employee's personal information.
- Understanding the boundaries of employee's privacy i.e. email/private conversations

### Workplace Violence

- Recognizing the signs of violence.
- Having a plan in place and know how to deal with a violent situation.

Each video lasts between 22 and 36 minutes. We can also provide copies of the handouts that go with each section. Please call Shirley at 563-4122 with any questions or to get signed up to reserve any of our DVDs.

Please remember that all materials provided have copyrights and cannot be copied or reproduced.

### New Wage and Hour Booklets

We have received a small supply of the 2009 State Wage and Hour Booklets. If you would like a copy, please call our office at 563-3444. You may also view the same information on their website at:

[www.mtwagehourbopa.com](http://www.mtwagehourbopa.com)

Staff get a lot of questions regarding last paychecks, breaks, vacation pay etc. which all can be found on the website or in the book. Child Labor Laws are also included.



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### Incumbent Worker Training

The State of Montana soon will be offering Incumbent Worker Training assistance to qualifying businesses through out the state. The purpose of the program is to meet the training needs of incumbent workers in businesses employing no more than 50 workers statewide and no more than 20 workers at one location that help preserve existing jobs for Montana residents. The business must be in business at least one year, be registered with the Secretary of State and able to provide 20% matching funds (can be cash or in-kind such as wages, travel or lodging). The employee targeted to be trained must be past the probationary period established by the employer or if no policy exists,, the time required is six months. The employer must demonstrate a need for training and explain what the benefit of the training is to his/her business is. Eligible workers can be part time (20-34 hrs/week) or full time (35/40 hrs/week) employees. The training must provided be a recognized training provider. Grant award limits are: \$2000 for each full time employee and \$1000 for each part time employee. There will be a short application process and a required BEAR (business expansion and retention) interview. If you fit under the eligible business category and have employee training needs, please give us a call. Once the program is implemented we can hit the ground running as these funds do have a limit and it will be on a first come first service basis.

## WORK OPPORTUNITY TAX CREDIT (WOTC)

### \$\$\$\$\$\$\$\$\$\$\$\$\$ FOR YOU!

The WOTC is a federal tax credit that reduces the federal tax liability of private employers who hire from twelve target groups. With the current economic conditions more prospective employees will fall into these target groups thereby making the employer eligible for the tax credits. Not taking advantage of the WOTC is like throwing away up to \$9,000 per employee in tax credits. The target groups include: Long-term TANF (Temporary Assistance to Needy Families), other TANF recipients, Qualified Food Stamp Recipients, Summer Youth Employee, Qualified Veteran, Vocational Rehabilitation Referral, SSI Recipient, Unemployed Veteran, and Disconnected Youth, as well as several other groups. Any new hire that lives in Deer Lodge County and is between the ages of 18 and 40 automatically qualify because Deer Lodge County is a specially designated county. The consolidated WOTC for hiring most target group members can now be as much as:

- ☐ \$2,400 for each new adult hire;
- ☐ \$1,200 for each new summer youth hire;
- ☐ \$4,800 for each new disabled veteran hire, and
- ☐ \$9,000 for each new long-term family assistance recipient hired over a two-year period.



A minimum employment or retention period is required. All new adult employees must work a minimum of 120-399 hours in the first year of employment. Individuals hired as Summer Youth employees must work at least 90 days, between May 1 and September 15, before an employer is eligible to claim the tax credit. The WOTC amount an employer may claim depends on the hours the employee works, and which target group they fall into. For most target groups, the WOTC is based on qualified wages paid to the employee for the first year of employment. Generally, qualified wages are capped at \$6,000. The credit is 25% of qualified first-year wages for those employed at least 120 hours but fewer than 400 hours and 40% for those employed 400 hours or more. Summer youth wages are capped at \$3,000 for 16 and 17-year olds for the 90 day period between May and September. Disabled veterans wages are capped at \$12,000. Long-term TANF recipients are capped at \$10,000. The WOTC is also available for the employee's qualified second-year wages, also capped at \$10,000. The credit is 40% for the first year and 50% of qualified wages for the second year of employment.

To receive certification that a *new employee* qualifies the employer for this credit, the employer must (1) complete page one of IRS form 8850 by the day the job offer is made (2) complete page two of IRS form 8850 after the individual is hired (3) complete either the one page ETA form 9061 or Form 9062 as appropriate (4) mail the completed and signed IRS and ETA forms to the employer's state workforce agency within 28 days after the employee's employment start date for all individuals who begin work for an employer on or after January 1, 2007. Form 8850 can become part of your application process. Simply attach it to your application for applicants to complete. For more information and forms, go to: <http://www.doleta.gov/business/incentives/opptax/> or contact us at 406-563-3444.

### REQUIRED POSTERS...ANOTHER CHANGE

The 5 in 1 required employment posters that all businesses must have displayed have been changed again. Remember, you can get these from your local Job Service office free of charge. If you received a poster with the latest revision date is January 2009 or older, you are displaying an outdated poster. The notices you get in the mail where there is a charge for the poster and there is a threat of a fine is NOT from the Montana Department of Labor so ignore those notices. We do not charge for the posters but it is a requirement to have them posted when employees are a part of your business. Call us at 563-3444 or stop in at 307 East Park, Suite 203 to pick some up.



**ANACONDA JOB SERVICE  
ONE STOP WORKFORCE CENTER**

307 East Park Street  
Anaconda, MT 59711

Phone: 406-563-3444

*Superior Service for a Working Montana.*

WEB

- [wsd.dli.mt.gov/local/anaconda](http://wsd.dli.mt.gov/local/anaconda)



**UNEMPLOYMENT RATES**

**Current Unemployment rates in the Tri-County Area**

	September 2009	October 2009	November 2009
Deer Lodge County	6.5%	6.7%	7.7%
Powell County	7.3%	7.0%	8.0%
Granite County	8.2%	8.0%	8.6%
Montana Average	5.9%	5.9%	6.4%

Happy Holidays and here's to a Great 2010

The Anaconda Job Service Management and staff would like to wish all of you Happy Holidays and a prosperous New Year 2010!. We are pleased to be able to serve you and your business and the people of Montana needing our services.

Best wishes to all!

Marilyn Ohman, Manager

Shirley Cortright, Workforce Consultant

Jane Bing-Craig, Workforce Consultant

Karen Ralph, Workforce Consultant

Lynette Duncan, Human Resource Assistant

(If you have an email address that we could send this newsletter to, please call Marilyn at 563-4121 and we will add you to our email list instead of mailing this newsletter to you! Helps conserve paper and postage!!! )